

Marc S. Martin  
MMartin@perkinscoie.com  
D. +1.202.654.6351  
F. +1.202.654.9113

July 10, 2019

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

Re: Access to Highly Confidential Documents and Information, *DIRECTV, LLC et al. v. Deerfield Media, Inc. et al.*, MB Docket No. 19-168, CSR-8979-C

Dear Ms. Dortch:

Pursuant to Section 7 of the Protective Order entered by the Commission in the above-referenced proceeding,<sup>1</sup> the undersigned enclose herewith executed Declarations to permit the undersigned access to Highly Confidential documents and information submitted by Complainants in this proceeding, including, but not limited to, unredacted copies of the Complaint and any supporting confidential materials. Copies of the enclosed Declarations have been served on Complainants' outside counsel of record, consistent with the terms of the Protective Order.

Any questions concerning this filing may be directed to the undersigned.

Respectfully submitted,



---

Marc S. Martin  
Brendon P. Fowler

---

<sup>1</sup> *DIRECTV, LLC et al. v. Deerfield Media, Inc. et al.*, Order, MB Docket No. 19-168, CSR-8979-C, Appendix A (filed July 9, 2019).

Ms. Marlene Dortch  
July 10, 2019

Scott P. Martin  
Brandon H. Johnson  
Michael A. Sherling  
PERKINS COIE LLP  
700 13th Street, NW, Suite 600  
Washington, DC 20005  
Telephone: (202) 654-6200  
MMartin@perkinscoie.com  
BFowler@perkinscoie.com  
SMartin@perkinscoie.com  
BrandonJohnson@perkinscoie.com  
MSherling@perkinscoie.com

*Counsel to Defendants*

Enclosure

**ATTACHMENT**

## ATTACHMENT A

## DECLARATION

I, Marc S. Martin, hereby declare under penalty of perjury that I have read the Protective Order that has been entered by the Commission in this proceeding, and I understand it. I agree to be bound by its terms pertaining to the treatment of Highly Confidential Information submitted by parties to this proceeding and that I shall not disclose or use Stamped Highly Confidential Documents or Highly Confidential Information except as allowed by the Protective Order.

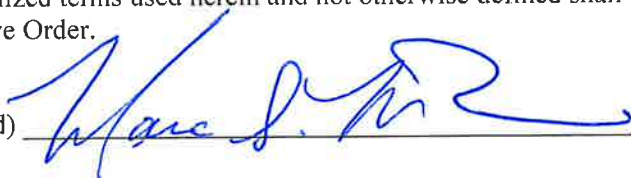
Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any Highly Confidential Information obtained as a result of the Protective Order is due solely to my capacity as (1) Outside Counsel of Record or (2) other person described in paragraph 4 of the foregoing Protective Order, and that I will not use such Highly Confidential Information in any other capacity; nor will I disclose such Highly Confidential Information except as specifically provided in the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Highly Confidential Documents and Highly Confidential Information are used only as provided in the Protective Order; and (2) Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Protective Order, and I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Highly Confidential Documents or Highly Confidential Information.

I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement between the undersigned and the Submitting Party.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

(signed)



(printed name) Marc S. Martin

(representing) Defendants

(title) Partner

(employer) Perkins Coie LLP

(address) 700 13th Street, NW, Suite 600; Washington, DC 20005

(phone) 202-654-6351

(email) MMartin@perkinscoie.com

(date) 7/10/19

## ATTACHMENT A

### DECLARATION

I, Brendon P. Fowler, hereby declare under penalty of perjury that I have read the Protective Order that has been entered by the Commission in this proceeding, and I understand it. I agree to be bound by its terms pertaining to the treatment of Highly Confidential Information submitted by parties to this proceeding and that I shall not disclose or use Stamped Highly Confidential Documents or Highly Confidential Information except as allowed by the Protective Order.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any Highly Confidential Information obtained as a result of the Protective Order is due solely to my capacity as (1) Outside Counsel of Record or (2) other person described in paragraph 4 of the foregoing Protective Order, and that I will not use such Highly Confidential Information in any other capacity; nor will I disclose such Highly Confidential Information except as specifically provided in the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Highly Confidential Documents and Highly Confidential Information are used only as provided in the Protective Order; and (2) Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Protective Order, and I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Highly Confidential Documents or Highly Confidential Information.

I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement between the undersigned and the Submitting Party.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

(signed) Brendon P. Fowler

(printed name) Brendon P. Fowler

(representing) Defendants

(title) Partner

(employer) Perkins Coie

(address) 700 13<sup>th</sup> Street NW

(phone) 202-654-6397

(email) btfowler@perkinscoie.com

(date) 07/10/2019

## ATTACHMENT A

## DECLARATION

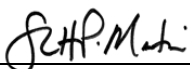
I, Scott P. Martin, hereby declare under penalty of perjury that I have read the Protective Order that has been entered by the Commission in this proceeding, and I understand it. I agree to be bound by its terms pertaining to the treatment of Highly Confidential Information submitted by parties to this proceeding and that I shall not disclose or use Stamped Highly Confidential Documents or Highly Confidential Information except as allowed by the Protective Order.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any Highly Confidential Information obtained as a result of the Protective Order is due solely to my capacity as (1) Outside Counsel of Record or (2) other person described in paragraph 4 of the foregoing Protective Order, and that I will not use such Highly Confidential Information in any other capacity; nor will I disclose such Highly Confidential Information except as specifically provided in the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Highly Confidential Documents and Highly Confidential Information are used only as provided in the Protective Order; and (2) Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Protective Order, and I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Highly Confidential Documents or Highly Confidential Information.

I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement between the undersigned and the Submitting Party.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

(signed) 

(printed name) Scott P. Martin

(representing) Defendants

(title) Senior Counsel

(employer) Perkins Coie LLP

(address) 1201 Third Avenue, Suite 4900



\_\_\_\_\_  
Seattle, WA 98109

(phone) \_\_\_\_\_  
206-359-3600

(email) \_\_\_\_\_  
smartin@perkinscoie.com

(date) \_\_\_\_\_  
07/09/2019

## ATTACHMENT A

## DECLARATION

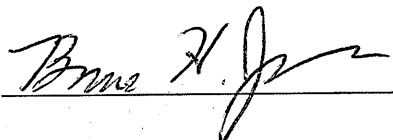
I, Brandon H. Johnson, hereby declare under penalty of perjury that I have read the Protective Order that has been entered by the Commission in this proceeding, and I understand it. I agree to be bound by its terms pertaining to the treatment of Highly Confidential Information submitted by parties to this proceeding and that I shall not disclose or use Stamped Highly Confidential Documents or Highly Confidential Information except as allowed by the Protective Order.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any Highly Confidential Information obtained as a result of the Protective Order is due solely to my capacity as (1) Outside Counsel of Record or (2) other person described in paragraph 4 of the foregoing Protective Order, and that I will not use such Highly Confidential Information in any other capacity; nor will I disclose such Highly Confidential Information except as specifically provided in the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Highly Confidential Documents and Highly Confidential Information are used only as provided in the Protective Order; and (2) Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Protective Order, and I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Highly Confidential Documents or Highly Confidential Information.

I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement between the undersigned and the Submitting Party.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

(signed) 

(printed name) Brandon H. Johnson

(representing) Defendants

(title) Associate

(employer) Perkins Cole LLP

(address) 700 13th Street NW, Suite 600, Washington, DC 20005

(phone) (202) 654-3303

(email) brandon.johnson@perkinscoie.com

(date) 07/10/2019

## ATTACHMENT A

## DECLARATION

I, Michael Sherling, hereby declare under penalty of perjury that I have read the Protective Order that has been entered by the Commission in this proceeding, and I understand it. I agree to be bound by its terms pertaining to the treatment of Highly Confidential Information submitted by parties to this proceeding and that I shall not disclose or use Stamped Highly Confidential Documents or Highly Confidential Information except as allowed by the Protective Order.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or public interest organization), I acknowledge specifically that my access to any Highly Confidential Information obtained as a result of the Protective Order is due solely to my capacity as (1) Outside Counsel of Record or (2) other person described in paragraph 4 of the foregoing Protective Order, and that I will not use such Highly Confidential Information in any other capacity; nor will I disclose such Highly Confidential Information except as specifically provided in the Protective Order.

I acknowledge that it is my obligation to ensure that: (1) Stamped Highly Confidential Documents and Highly Confidential Information are used only as provided in the Protective Order; and (2) Stamped Highly Confidential Documents are not duplicated except as specifically permitted by the terms of the Protective Order, and I certify that I have verified that there are in place procedures, at my firm or office, to prevent unauthorized disclosure of Stamped Highly Confidential Documents or Highly Confidential Information.

I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I acknowledge that this Protective Order is also a binding agreement between the undersigned and the Submitting Party.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

(signed) Michael Sherling

(printed name) Michael Sherling

(representing) Defendants

(title) Associate

(employer) Perkins Coie LLP

(address) 700 13th St NW, Washington, DC 20005

(phone) 202 654 3372

(email) msherb@perkinscoie.com

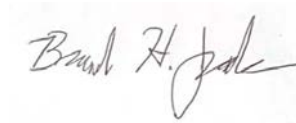
(date) 7/9/19

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 10th day of July, 2019, true and correct copies of the enclosed Declarations were submitted electronically to the Federal Communications Commission and served via electronic mail upon the following:

Sean A. Lev  
Kevin J. Miller  
Matthew M. Duffy  
KELLOGG, HANSEN, TODD,  
FIGEL & FREDERICK, P.L.L.C.  
1615 M Street, NW, Suite 400  
Washington, DC 20036

*Counsel for Complainants*

A handwritten signature in black ink, appearing to read "Brandon H. Johnson", is written over a light gray rectangular background.

---

Brandon H. Johnson